

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-23. (canceled)

24. (Currently Amended) A method for substantially real time transmission of a software component after receiving a demand for the software component from a requesting terminal of a network comprised of a server and a plurality of terminals, the requesting terminal being a terminal of the plurality of terminals, the method comprising:

triggering a bandwidth test, the bandwidth test comprising sending a bandwidth request to each terminal, registering a bandwidth of an associated part connection after each hop and receiving assembled data relating to bandwidth available for each terminal; test;

prior to initiating transmission of the software component, determining via the bandwidth test if a present bandwidth is sufficient for transmission of the demanded software component to the requesting terminal by identifying at least one lower priority process currently using bandwidth of the existing network that each has a lower priority than the demand and computing an amount of available bandwidth resources that is obtainable from reducing bandwidth resources assigned to the at least one lower priority process,

if the computed amount of available bandwidth resources is equal to or greater than an amount of bandwidth necessary to transmit the software component to the requesting terminal, reducing or freezing the at least one lower priority processes and transmitting the software component to the requesting terminal; and

if the computed amount of available bandwidth resources is less than the amount of bandwidth necessary to transmit the software component to the requesting terminal, inhibiting or rejecting transmission of the software component.

25. (Previously Presented) The method according to claim 24 wherein the amount of available bandwidth resources is also calculated according to a specified upper limit of a transmission time for transmitting the software component to the requesting terminal.

26. (Previously Presented) The method according to claim 25, wherein the amount of available bandwidth resources is available to the requesting terminal and is included in the demand.

27. (Previously Presented) The method according to claim 26 wherein the server has access to the software component and the amount of available bandwidth resources.

28. (Previously Presented) The method according to claim 27 wherein the bandwidth test provides a positive test result if the amount of available bandwidth resources is suitable for a real time application, or wherein the bandwidth test provides a positive test result if the amount of available bandwidth resources is suitable for a substantially real time application.

29. (Previously Presented) The method according to claim 27 wherein information regarding the present bandwidth is made available by a network resource manager and is updated on request by the server or after a period of time.

30. (Cancelled).

31. (Previously Presented) The method according to claim 29 wherein if the amount of available bandwidth resources is less than the amount of bandwidth necessary to transmit the software component, a message is sent to the requesting terminal, the message comprising a temporary rejection or a permanent rejection of the load request.

32. (Previously Presented) The method according to claim 31 further comprising displaying the message to a user of the requesting terminal.

33. (Previously Presented) The method according to claim 31 further comprising generating a load request in response to the temporary rejection of the load request.

34. (Previously Presented) The method according to claim 31 wherein the permanent rejection is generated after a plurality of temporary rejections have been generated for a load request for the software component or after determining that the amount of bandwidth necessary to transmit the software component is greater than a maximum available bandwidth.

35-43. (Cancelled)

44. (Previously Presented) The method of claim 24 wherein the amount of bandwidth necessary to transmit the software component is at least partially defined by a transmission rate requirement provided in the demand.

45. (Previously Presented) The method of claim 44 wherein the amount of available bandwidth resources is calculated by a network resource manager that is connected to the server.

46. (Previously Presented) The method of claim 45 wherein the network resource manager is connected to an available bandwidth memory that has data on bandwidths assigned to processes using network bandwidth resources and priorities for these processes.

47. (Previously Presented) The method of claim 46 wherein the network resource manager is also connected to at least one of the terminals and wherein the available bandwidth memory is periodically updated with new data for the bandwidths assigned to processes using network bandwidth resources and priorities for these processes.

48. (Currently Amended) A computer configured for connection to a plurality of terminals of a network and configured to transmit a software component to a requesting terminal of the plurality of terminals after receiving a demand for the software component from the requesting terminal if bandwidth necessary for transmitting the software component to the requesting terminal is determined to be available, the computer comprising:

- a network resource allocation device, the network resource allocation device configured to assign resources of the network to the terminals and reassign resources of the network from one terminal to another terminal;

- a performance characteristic providing device connected to the network resource allocation device;

- a network resource distribution memory connected to the network resource allocation device and the performance characteristic providing device, the network resource distribution memory having stored data on bandwidths assigned to processes using bandwidth resources of the network and priorities for these processes;

a network resource test device connected to at least one of the network resource allocation device, the performance characteristic providing device, and the network resource distribution memory, the network resource test device configured to oversee a bandwidth test, the bandwidth test comprising sending a bandwidth request to each terminal, registering a bandwidth of an associated part connection after each hop in a communication path between each terminal and the computer, and receiving assembled data relating to bandwidth available for each terminal via any associated part connections in each communication path;

the performance characteristic providing device configured to determine whether an amount of bandwidth exists that is sufficient for transmission of the demanded software component by accessing the data stored on the network resource distribution memory to identify at least one lower priority process using bandwidth of the network that each has a lower priority than the demand in the network and calculate an amount of available bandwidth resources that is obtainable from reducing bandwidth resources of the network assigned to the at least one lower priority process; and

the network resource allocation device configured to reduce or freeze the network resources assigned to the at least one lower priority processes and transmit the software component to the requesting terminal if the computed amount of available bandwidth resources is equal to or greater than an amount of bandwidth necessary to transmit the software component to the requesting terminal; and

the network resource allocation device configured to inhibit or reject transmission of the software component if the computed amount of available bandwidth resources is less than the amount of bandwidth necessary to transmit the software component to the requesting terminal.

49 (Previously Presented) The computer of claim 48 wherein the computer is a server or is comprised of a server.

50. (Previously Presented) The computer of claim 48 wherein bandwidth demand data is also stored in the network resource distribution memory.

51. (Previously Presented) The computer of claim 48 wherein the performance characteristic providing device is a portion of the network resource allocation device.

52. (Previously Presented) The computer of claim 48 wherein the network resource allocation device is also configured to periodically update the data stored in the network resource distribution memory.

53. (Cancelled)

54. (New) A method for substantially real time transmission of a software component after receiving a demand for the software component from a requesting terminal of a network comprised of a server and a plurality of terminals, the requesting terminal being a terminal of the plurality of terminals, the method comprising:

triggering a bandwidth test;

prior to initiating transmission of the software component, determining via the bandwidth test if a present bandwidth is sufficient for transmission of the software component to the requesting terminal by identifying at least one lower priority process currently using bandwidth of the existing network that each has a lower priority than the demand and computing an amount

of available bandwidth resources that is obtainable from reducing bandwidth resources assigned to the at least one lower priority process,

if the computed amount of available bandwidth resources is equal to or greater than an amount of bandwidth necessary to transmit the software component to the requesting terminal, reducing the at least one lower priority process such that the at least one lower priority process is still able to utilize some bandwidth, and transmitting the software component to the requesting terminal; and

if the computed amount of available bandwidth resources is less than the amount of bandwidth necessary to transmit the software component to the requesting terminal, inhibiting or rejecting transmission of the software component.